

TESTIMONY IN OPPOSITION TO SJ5

LEGISLATIVE NO. 5
1/20/2011
SJ5

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING CONGRESS TO CALL A CONVENTION FOR THE SOLE PURPOSE OF PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO REQUIRE TERM LIMITS FOR MEMBERS OF CONGRESS.

Chairman Olson & members of the Committee, my name is Roger Nummendor and I am here to strongly oppose SJ5. I personally feel that this committee is the most important committee in the 62nd Legislature. SJ5 resolution could completely change Montana and the United States of America. This resolution if passed could completely change the type of government we now enjoy in the United States of America.

I am not a legal scholar, but I do read history, and no matter what legal scholars say about keeping a Constitutional Convention to only one item, I know factually that this is not what has happened in the past. The facts show, that the only Constitutional Convention ever called for was in Philadelphia, in the year 1787. It was called to strengthen a weak national government which operated under Articles of Confederation. George Washington started calling for this convention in his letters as early as 1783, when he was a private citizen. The facts show, that the call for the first Constitutional Convention stated it was "for the sole and expressed purpose of revising the Articles of Confederation". The facts show that did not happen, that we ended up with a totally different government which we now refer to as The Constitution of the United States. The facts show, that within one year (1788), James Madison, who is called the "Father of the Constitution", warned against calling a second constitutional convention. His worry even in 1788 was that "the convention would be courted by the most violent partisans on both sides". This did not happen during the first Constitutional Convention because Washington had all the delegates swear an "oath of secrecy" before the first Convention convened.

I state these facts, to show what did happen, and trust that you too will let the facts, not some legal opinion that "it can't happen", influence your vote. Since 1988 16 states have rescinded all of their calls for a Constitutional Convention, MT. did so in 2007. This year these same resolutions are being introduced in all 50 states. Such a concerted effort says to me that some group is working hard to take away the protection of our "natural rights"; that our present Constitution affords us.

I strongly urge the committee to protect our Constitution and not allow this resolution to reach the floor.